

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

OSCAR FOSTER GONZALES

Defendant.

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86-CR-49-01-B

FILE

DEC 30 1988

Jack C. Silver, Clerk
U.S. DISTRICT COURT

ORDER


The Court has for consideration the Report and Recommendation of the Magistrate filed December 13, 1988 in which the Magistrate recommended that the Defendant's Second Motion to Vacate, Set Aside, or Correct Sentence be denied.

No exceptions or objections have been filed and the time for filing such exceptions or objections has expired.

After careful consideration of the record and the issues, the Court has concluded that the Report and Recommendation of the Magistrate should be and hereby is affirmed.

It is, therefore, Ordered that the Defendant's Second Motion to Vacate, Set Aside, or Correct Sentence is denied.

Dated this 30th day of December, 1988.


THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

United States District Court**FILED**

DEC. 28 1988

NORTHERN

DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA

V.

JUDGMENT IN A CRIMINAL CASEGLORIA LASHONE DENNEY
P. O. Box 804
Haskell, Oklahoma 74436
SSN: 448-64-6678

Case Number: 88-CR-95-001-B

(Name and Address of Defendant)

Jane Ann Cobb

Attorney for Defendant

THE DEFENDANT ENTERED A PLEA OF:☒ guilty ☐ nolo contendere] as to count(s) Two of the Indictment, and
☐ not guilty as to count(s) _____**THERE WAS A:**☒ finding ☐ verdict] of guilty as to count(s) Two of the Indictment**THERE WAS A:**☐ finding ☐ verdict] of not guilty as to count(s) _____
☐ judgment of acquittal as to count(s) _____

The defendant is acquitted and discharged as to this/these count(s).

THE DEFENDANT IS CONVICTED OF THE OFFENSE(S) OF:

having violated Title 18, United States Code, Section 495, Uttering a United States Treasury Check.

IT IS THE JUDGMENT OF THIS COURT THAT:

The Defendant is placed on Probation for a term of Two (2) Years.

In addition to the usual conditions of Probation, the Defendant is ordered to reside in the Salvation Army Pre-Release Center, Tulsa, Oklahoma, for a period of sixty (60) days, and fined \$200.00 to be paid during the term of Probation as directed by the U. S. Probation Officer.

Execution of the the condition of probation requiring the Defendant to reside at the Salvation Army Pre-Release Center, Tulsa, OK for a period of Sixty (60) days is deferred until 11:00 a.m. on Friday, January 6, 1989, at which time Defendant is to present herself to the designated Institution.

In addition to any conditions of probation imposed above, IT IS ORDERED that the conditions of probation be as follows:

CONDITIONS OF PROBATION

Where probation has been ordered the defendant shall:

- (1) refrain from violation of any law (federal, state, and local) and get in touch immediately with your probation officer if arrested or questioned by a law-enforcement officer;
- (2) associate only with law-abiding persons and maintain reasonable hours;
- (3) work regularly at a lawful occupation and support your legal dependents, if any, to the best of your ability. (When out of work notify your probation officer at once, and consult him prior to job changes);
- (4) not leave the judicial district without permission of the probation officer;
- (5) notify your probation officer immediately of any changes in your place of residence;
- (6) follow the probation officer's instructions and report as directed.

The court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within the maximum probation period of 5 years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

IT IS FURTHER ORDERED that the defendant shall pay a total special assessment of \$ 50.00 pursuant to Title 18, U.S.C. Section 3013 for count(s) Two of the Indictment as follows:

Ct. 2 - \$50

IT IS FURTHER ORDERED THAT counts One and Three of the Indictment are DISMISSED on the motion of the United States.

IT IS FURTHER ORDERED that the defendant shall pay to the United States attorney for this district any amount imposed as a fine, restitution or special assessment. The defendant shall pay to the clerk of the court any amount imposed as a cost of prosecution. Until all fines, restitution, special assessments and costs are fully paid, the defendant shall immediately notify the United States attorney for this district of any change in name and address.

IT IS FURTHER ORDERED that the clerk of the court deliver a certified copy of this judgment to the United States marshal of this district.

☐ The Court orders commitment to the custody of the Attorney General and recommends:

December 28, 1988

Date of Imposition of Sentence

Signature of Judicial Officer

Thomas R. Brett, U. S. District Judge

Name and Title of Judicial Officer

December 28, 1988

Date

United States District Court) SS
Northern District of Oklahoma)
I hereby certify that the foregoing
is a true copy of the original on file
in this Court.

Jack C. Silver, Clerk

By

Deputy

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____ at _____
Date

_____, the institution designated by the Attorney General, with a certified copy of this Judgment in a Criminal Case.

United States Marshal

By _____

United States District Court

FILED

DEC 22 1988

NORTHERN

DISTRICT OF

OKLAHOMA

Jack C. Silver, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA

V.

WILLIAM STEVE WOOD
Route 1, Box 63
Chunky, Mississippi
SSN: 587-08-3685

JUDGMENT IN A CRIMINAL CASE

Case Number: 88-CR-126-001-E

(Name and Address of Defendant)

Steve Gruebel

Attorney for Defendant

THE DEFENDANT ENTERED A PLEA OF:

☒ guilty ☐ nolo contendere] as to count(s) One of the Information, and
☐ not guilty as to count(s) _____.

THERE WAS A:

☒ finding ☐ verdict] of guilty as to count(s) One of the Information.

THERE WAS A:

☐ finding ☐ verdict] of not guilty as to count(s) _____.
☐ judgment of acquittal as to count(s) _____.
The defendant is acquitted and discharged as to this/these count(s).

THE DEFENDANT IS CONVICTED OF THE OFFENSE(S) OF: having violated Title 18,
United States Code, Section 2314; Interstate Transportation of Stolen
Property.

IT IS THE JUDGMENT OF THIS COURT THAT:

The Defendant is hereby sentenced to probation for a period of Three
(3) Years.

IT IS FURTHER ORDERED that the Defendant pay a Fine in the amount of
\$500 before the end of his probationary term.

In addition to any conditions of probation imposed above, IT IS ORDERED that the conditions of proba-
tion set out on the reverse of this judgment are imposed.

CONDITIONS OF PROBATION

Where probation has been ordered the defendant shall:

- (1) refrain from violation of any law (federal, state, and local) and get in touch immediately with your probation officer if arrested or questioned by a law-enforcement officer;
- (2) associate only with law-abiding persons and maintain reasonable hours;
- (3) work regularly at a lawful occupation and support your legal dependents, if any, to the best of your ability. (When out of work notify your probation officer at once, and consult him prior to job changes);
- (4) not leave the judicial district without permission of the probation officer;
- (5) notify your probation officer immediately of any changes in your place of residence;
- (6) follow the probation officer's instructions and report as directed.

The court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within the maximum probation period of 5 years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

IT IS FURTHER ORDERED that the defendant shall pay a total special assessment of \$ 50.00 pursuant to Title 18, U.S.C. Section 3013 for count(s) One of the Information as follows:
Ct. 1 - \$50

IT IS FURTHER ORDERED THAT counts Not Applicable are DISMISSED on the motion of the United States.

IT IS FURTHER ORDERED that the defendant shall pay to the United States attorney for this district any amount imposed as a fine, restitution or special assessment. The defendant shall pay to the clerk of the court any amount imposed as a cost of prosecution. Until all fines, restitution, special assessments and costs are fully paid, the defendant shall immediately notify the United States attorney for this district of any change in name and address.

IT IS FURTHER ORDERED that the clerk of the court deliver a certified copy of this judgment to the United States marshal of this district.

☐ The Court orders commitment to the custody of the Attorney General and recommends:

December 22, 1988
Date of Imposition of Sentence
James O. Ellison
Signature of Judicial Officer
James O. Ellison, U. S. District Judge
Name and Title of Judicial Officer
December 22, 1988
Date

RETURN

United States District Court } ss
Northern District of Oklahoma)
I hereby certify that the foregoing
is a true copy of the original on file
in this Court.

Jack C. Silver, Clerk

By *B. M. Lullough*
Deputy

I have executed this Judgment as follows:

Defendant delivered on _____ to _____ at _____
Date

_____, the institution designated by the Attorney General, with a certified copy of this Judgment in a Criminal Case.

United States Marshal

By _____
Deputy Marshal

[illegible]

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No. 88-CR-90-10-B

No. 88-CR-90-10-B

~~United States Attorney~~

United States Attorney
Morgan
Assistant United States Attorney

Assistant United States Attorney

Assistant United States Attorney

United States District Judge

United States District Judge

FILED

Plaintiff,

VS.

JOE L. WARD,

Defendant.

DEC 2 1964

Jack C. Silver, Clerk
U.S. DISTRICT COURT

No. 88-CR-90-06-B

TONY M. GRAHAM
United States Attorney

Morgan

Assistant United States Attorney

Leave of court is granted for the filing of the foregoing motion to dismiss and the Court hereby orders dismissal of the Second Superseding Indictment.

9/ THOMAS S. BELL

United States District Judge

Date:

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

UNITED STATES OF AMERICA,

Plaintiff,

v.

FRANCIS JAY SMITH,

Defendant.

DEC 19 1988

Jack C. Silver, Clerk
U.S. DISTRICT COURT

No. 88-CR-93-C

MOTION AND ORDER FOR DISMISSAL

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, and by leave of court endorsed hereon, the United States Attorney for the Northern District of Oklahoma hereby moves to dismiss the Indictment filed on July 13, 1988, against FRANCIS JAY SMITH, defendant.

TONY M. GRAHAM
United States Attorney

131 Ben F. Baker
BEN F. BAKER, First
Assistant United States Attorney

Good cause appearing, it is so ORDERED.

(Signed) H. Dale Cook
H. DALE COOK, Chief
United States District Judge

Date: 12-19-88, 1988

Report and Order Terminating Probation
Prior to Original Expiration Date

United States District Court
FOR THE

FILED

DEC 16 1988

NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA

v.

REGINALD LAZENBY

Crim. No. 84-CR-066-001-B

On May 23, 1988 the above named was placed on probation for a period of 9xxxx months. The probationer has complied with the rules and regulations of probation and is no longer in need of probation supervision. It is accordingly recommended that the probationer be discharged from probation.

Respectfully submitted,

Robert E. Boston

Robert E. Boston, Senior
U.S. Probation Officer

ORDER OF COURT

Pursuant to the above report, it is ordered that the probationer be discharged from probation and that the proceedings in the case be terminated.

Dated this 16th day of Dec., 19 88

Thomas A. Brett
United States District Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LAWRENCE CANTU SAENZ,

Defendant.

No. 87-CR-45-E
88-C-297-E


FILED
DEC 15 1988
Jack C. Silver, Clerk
U.S. DISTRICT COURT

O R D E R

This matter comes before the Court on Petitioner's motion for reconsideration. On September 19, 1988 this Court denied Petitioner's pro se motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. §2255. After careful consideration of Petitioner's motion for reconsideration, and the reasons stated therein for urging the Court's reconsideration, the Court declines to reconsider its order of September 19, 1988.

IT IS THEREFORE ORDERED that Petitioner's motion for reconsideration is denied.

ORDERED this 14TH day of December, 1988.


JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

FILED

United States District Court

DEC 15 1988

NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA

V.

JUDGMENT IN A CRIMINAL CASE

LARRY JAMES HILL
618 East 52nd Street North
Tulsa, Oklahoma 74126
SSN: 444-58-4472

Case Number: 88-CR-110-002-B

(Name and Address of Defendant)

June Tyhurst

Attorney for Defendant

THE DEFENDANT ENTERED A PLEA OF:

☒ guilty ☐ nolo contendere] as to count(s) Two of the Indictment, and
☐ not guilty as to count(s) _____.

THERE WAS A:

☒ finding ☐ verdict] of guilty as to count(s) Two of the Indictment.

THERE WAS A:

☐ finding ☐ verdict] of not guilty as to count(s) _____.
☐ judgment of acquittal as to count(s) _____.
The defendant is acquitted and discharged as to this/these count(s).

THE DEFENDANT IS CONVICTED OF THE OFFENSE(S) OF:

having violated Title 18, United States Code, Sections 511(a) and 2; Aiding and Abetting in Altering or Removing Motor Vehicle Identification Numbers.

IT IS THE JUDGMENT OF THIS COURT THAT:

The defendant be committed to the custody of the Bureau of Prisons for a period of Two (2) Years, pursuant to Title 18, United States Code, Section 3581. A Three (3) Year term of Supervised Release is also imposed, during which time the defendant is to participate in urinalysis monitoring at the discretion of the U. S. Probation Office. Restitution is to be made as directed by the U. S. Probation Office to the following: \$287.00 to Wilkerson Chevrolet, 2545 East 11th, Tulsa, Oklahoma 74104; and \$2,350.00 to University Underwriters, 800 East 101st, Suite 240, Kansas City, Missouri 64131.

In addition to any conditions of probation imposed above, IT IS ORDERED that the conditions of probation set out on the reverse of this judgment are imposed.

CONDITIONS OF PROBATION

Where probation has been ordered the defendant shall:

- (1) refrain from violation of any law (federal, state, and local) and get in touch immediately with your probation officer if arrested or questioned by a law-enforcement officer;
- (2) associate only with law-abiding persons and maintain reasonable hours;
- (3) work regularly at a lawful occupation and support your legal dependents, if any, to the best of your ability. (When out of work notify your probation officer at once, and consult him prior to job changes);
- (4) not leave the judicial district without permission of the probation officer;
- (5) notify your probation officer immediately of any changes in your place of residence;
- (6) follow the probation officer's instructions and report as directed.

The court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within the maximum probation period of 5 years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

IT IS FURTHER ORDERED that the defendant shall pay a total special assessment of \$50.00 pursuant to Title 18, U.S.C. Section 3013 for count(s) Two of the Indictment as follows:

Ct. 2 - \$50

IT IS FURTHER ORDERED THAT counts Not Applicable are DISMISSED on the motion of the United States.

IT IS FURTHER ORDERED that the defendant shall pay to the United States attorney for this district any amount imposed as a fine, restitution or special assessment. The defendant shall pay to the clerk of the court any amount imposed as a cost of prosecution. Until all fines, restitution, special assessments and costs are fully paid, the defendant shall immediately notify the United States attorney for this district of any change in name and address.

IT IS FURTHER ORDERED that the clerk of the court deliver a certified copy of this judgment to the United States marshal of this district.

☐ The Court orders commitment to the custody of the Attorney General and recommends:

December 15, 1988

Date of Imposition of Sentence

Signature of Judicial Officer

Thomas R. Brett, U. S. District Judge

Name and Title of Judicial Officer

December 15, 1988

Date

United States District Court)
Northern District of Oklahoma) SS
I hereby certify that the foregoing
is a true and correct copy of the original on file
in this Court.

Jack C. Silver, Clerk

By

Deputy

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____ at _____
Date

_____, the institution designated by the Attorney General, with a certified copy of this Judgment in a Criminal Case.

United States Marshal

By

Deputy Marshal

FILED

United States District Court

DEC 14 1988

NORTHERN

DISTRICT OF

OKLAHOMA

Jack C. Silver, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA

V.

JUDGMENT IN A CRIMINAL CASE

WYLIE BRENT HILL
McLeod Correctional Center
Farris, Oklahoma

Case Number: 88-CR-110-003-B

SSN: 440-66-9398

(Name and Address of Defendant)

Ernest Bedford

Attorney for Defendant

THE DEFENDANT ENTERED A PLEA OF:

☒ guilty ☐ nolo contendere] as to count(s) Two of the Indictment, and
☐ not guilty as to count(s) _____.

THERE WAS A:

☒ finding ☐ verdict] of guilty as to count(s) Two of the Indictment.

THERE WAS A:

☐ finding ☐ verdict] of not guilty as to count(s) _____.

☐ judgment of acquittal as to count(s) _____.

The defendant is acquitted and discharged as to this/these count(s).

THE DEFENDANT IS CONVICTED OF THE OFFENSE(S) OF:

having violated Title 18, United States Code, Sections 511(a) and 2; Alteration
or Removal of Motor Vehicle I.D. Numbers, Aiding and Abetting.

IT IS THE JUDGMENT OF THIS COURT THAT:

The defendant shall be committed to the custody of the Bureau of Prisons for a
period of Eighteen (18) Months, pursuant to Title 18, United States Code, Section
3581.

IT IS FURTHER ORDERED that the defendant serve a Three (3) Year period of Supervised
Release, during which time he make Restitution in the amount of \$287.00 to Wilkerson
Chevrolet, 2545 East 11th, Tulsa, Oklahoma, and \$2,350.00 to University Underwriter,
800 East 101st Terrace, Suite 240, Kansas City, Missouri 64131, in amounts as
directed by the U. S. Probation Office.

In addition to any conditions of probation imposed above, IT IS ORDERED that the conditions of proba-
tion set out on the reverse of this judgment are imposed.

CONDITIONS OF PROBATION

Where probation has been ordered the defendant shall:

- (1) refrain from violation of any law (federal, state, and local) and get in touch immediately with your probation officer if arrested or questioned by a law-enforcement officer;
- (2) associate only with law-abiding persons and maintain reasonable hours;
- (3) work regularly at a lawful occupation and support your legal dependents, if any, to the best of your ability. (When out of work notify your probation officer at once, and consult him prior to job changes);
- (4) not leave the judicial district without permission of the probation officer;
- (5) notify your probation officer immediately of any changes in your place of residence;
- (6) follow the probation officer's instructions and report as directed.

The court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within the maximum probation period of 5 years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

IT IS FURTHER ORDERED that the defendant shall pay a total special assessment of \$ 50.00 pursuant to Title 18, U.S.C. Section 3013 for count(s) Two of the Indictment as follows:

Ct. 2 - \$50

IT IS FURTHER ORDERED THAT count(s) One of the Indictment is ~~not~~ DISMISSED on the motion of the United States.

IT IS FURTHER ORDERED that the defendant shall pay to the United States attorney for this district any amount imposed as a fine, restitution or special assessment. The defendant shall pay to the clerk of the court any amount imposed as a cost of prosecution. Until all fines, restitution, special assessments and costs are fully paid, the defendant shall immediately notify the United States attorney for this district of any change in name and address.

IT IS FURTHER ORDERED that the clerk of the court deliver a certified copy of this judgment to the United States marshal of this district.

☐ The Court orders commitment to the custody of the Attorney General and recommends:

December 14, 1988

Date of Imposition of Sentence

Thomas R. Brett
Signature of Judicial Officer

Thomas R. Brett, U. S. District Judge

Name and Title of Judicial Officer

December 14, 1988

Date

United States District Court)
Northern District of Oklahoma) SS
I hereby certify that the foregoing
is a true and correct copy of the original on file
in this Court.

Jack C. Silver, Clerk

By [Signature]
Deputy

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____ at _____
Date

_____, the institution designated by the Attorney General, with a certified copy of this Judgment in a Criminal Case.

United States Marshal

By _____
Deputy Marshal

United States District Court

NORTHERN

DISTRICT OF

OKLAHOMA

UNITED STATES OF AMERICA

V.

JUDGMENT IN A CRIMINAL CASE

MARCUS LEON JONES
3704 North Quaker
Tulsa, Oklahoma 74106

Case Number: 88-CR-111-001-E ✓

SS #: 447-64-1838

(Name and Address of Defendant)

Wesley Gibson

Attorney for Defendant

FILED

THE DEFENDANT ENTERED A PLEA OF:

☒ guilty ☐ nolo contendere] as to count(8) Three (3) of the Indictment
☐ not guilty as to count(s)

DEC 13 1988, and

Jack C. Silver, Clerk
U.S. DISTRICT COURT

THERE WAS A:

☒ finding ☐ verdict] of guilty as to count(8) Three (3) of the Indictment

THERE WAS A:

☐ finding ☐ verdict] of not guilty as to count(s)

☐ judgment of acquittal as to count(s)

The defendant is acquitted and discharged as to this/these count(s).

THE DEFENDANT IS CONVICTED OF THE OFFENSE(S) OF:

having violated Title 18, United States Code, Section 1708; Possession of Stolen Mail.

IT IS THE JUDGMENT OF THIS COURT THAT:

the defendant shall be committed to the Custody of the Bureau of Prisons for a term of Two (2) Years pursuant to Title 18, United States Code, Section 3581.

In addition to any conditions of probation imposed above, IT IS ORDERED that the conditions of probation set out on the reverse of this judgment are imposed.

CONDITIONS OF PROBATION

Where probation has been ordered the defendant shall:

- (1) refrain from violation of any law (federal, state, and local) and get in touch immediately with your probation officer if arrested or questioned by a law-enforcement officer;
- (2) associate only with law-abiding persons and maintain reasonable hours;
- (3) work regularly at a lawful occupation and support your legal dependents, if any, to the best of your ability. (When out of work notify your probation officer at once, and consult him prior to job changes);
- (4) not leave the judicial district without permission of the probation officer;
- (5) notify your probation officer immediately of any changes in your place of residence;
- (6) follow the probation officer's instructions and report as directed.

The court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within the maximum probation period of 5 years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

IT IS FURTHER ORDERED that the defendant shall pay a total special assessment of \$ 50.00 pursuant to Title 18, U.S.C. Section 3013 for count(s) Three (3) of the Indictment as follows:
\$50.00

IT IS FURTHER ORDERED THAT counts One (1) and Two (2) of the Indictment are DISMISSED on the motion of the United States.

IT IS FURTHER ORDERED that the defendant shall pay to the United States attorney for this district any amount imposed as a fine, restitution or special assessment. The defendant shall pay to the clerk of the court any amount imposed as a cost of prosecution. Until all fines, restitution, special assessments and costs are fully paid, the defendant shall immediately notify the United States attorney for this district of any change in name and address.

IT IS FURTHER ORDERED that the clerk of the court deliver a certified copy of this judgment to the United States marshal of this district.

☐ The Court orders commitment to the custody of the Attorney General and recommends:

December 13, 1988

Date of Imposition of Sentence

James O. Ellison
Signature of Judicial Officer

James O. Ellison, United States District Judge

Name and Title of Judicial Officer

December 13, 1988

Date

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____ at _____
Date

_____, the institution designated by the Attorney General, with a certified copy of this Judgment in a Criminal Case.

United States Marshal

By _____
Deputy Marshal

United States District Court

NORTHERN

DISTRICT OF

OKLAHOMA

UNITED STATES OF AMERICA

V.

SHARON KAY LAIRMORE
12125 E. 127th Street, South
Broken Arrow, Oklahoma 74012

SS #: 443-44-6577

(Name and Address of Defendant)

JUDGMENT IN A CRIMINAL CASE

Case Number: 88-CR-89-009-E

FILED
DEC 13 1988
Jack C. Silver, Clerk
U.S. DISTRICT COURT
Jack M. Short
Attorney for Defendant

THE DEFENDANT ENTERED A PLEA OF:

☒ guilty ☐ nolo contendere] as to count(s) One (1) of the Information, and
☐ not guilty as to count(s) _____.

THERE WAS A:

☒ finding ☐ verdict] of guilty as to count(s) One (1) of the Information.

THERE WAS A:

☐ finding ☐ verdict] of not guilty as to count(s) _____.
☐ judgment of acquittal as to count(s) _____.
The defendant is acquitted and discharged as to this/these count(s).

THE DEFENDANT IS CONVICTED OF THE OFFENSE(S) OF:

having violated Title 18, United States Code, Section 1952; Interstate Travel to Facilitate a Narcotics Enterprise.

IT IS THE JUDGMENT OF THIS COURT THAT:

the defendant shall be sentenced to a Three (3) Year term of probation.

United States District Court) SS
Northern District of Oklahoma)
I hereby certify that the foregoing
is a true copy of the original on file
in this Court.

Jack C. Silver, Clerk

By Handwritten Signature
Deputy

In addition to any conditions of probation imposed above, IT IS ORDERED that the conditions of probation set out on the reverse of this judgment are imposed.

CONDITIONS OF PROBATION

Where probation has been ordered the defendant shall:

- (1) refrain from violation of any law (federal, state, and local) and get in touch immediately with your probation officer if arrested or questioned by a law-enforcement officer;
- (2) associate only with law-abiding persons and maintain reasonable hours;
- (3) work regularly at a lawful occupation and support your legal dependents, if any, to the best of your ability. (When out of work notify your probation officer at once, and consult him prior to job changes);
- (4) not leave the judicial district without permission of the probation officer;
- (5) notify your probation officer immediately of any changes in your place of residence;
- (6) follow the probation officer's instructions and report as directed.

The court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within the maximum probation period of 5 years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

IT IS FURTHER ORDERED that the defendant shall pay a total special assessment of \$ 50.00 pursuant to Title 18, U.S.C. Section 3013 for count ~~(*)~~ One (1) of the Information as follows:
\$50.00

IT IS FURTHER ORDERED THAT ~~counts~~ as to this defendant the Indictment and Super- are DISMISSED on the motion of the United States. seding Indictment

IT IS FURTHER ORDERED that the defendant shall pay to the United States attorney for this district any amount imposed as a fine, restitution or special assessment. The defendant shall pay to the clerk of the court any amount imposed as a cost of prosecution. Until all fines, restitution, special assessments and costs are fully paid, the defendant shall immediately notify the United States attorney for this district of any change in name and address.

IT IS FURTHER ORDERED that the clerk of the court deliver a certified copy of this judgment to the United States marshal of this district.

☐ The Court orders commitment to the custody of the Attorney General and recommends:

December 13, 1988

Date of Imposition of Sentence

James O. Ellison

Signature of Judicial Officer

James O. Ellison, United States District Judge

Name and Title of Judicial Officer

December 13, 1988

Date

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____ at _____
Date

_____, the institution designated by the Attorney General, with a certified copy of this Judgment in a Criminal Case.

United States Marshal

By _____
Deputy Marshal

United States District Court

NORTHERN

DISTRICT OF

OKLAHOMA

UNITED STATES OF AMERICA

V.

LARRY DALE DUDLEY
5135 West 8th Street
Tulsa, Oklahoma 74127

SS #: 448-48-4948

(Name and Address of Defendant)

JUDGMENT IN A CRIMINAL CASE

Case Number: 88-CR-089-003-E

FILED
DEC 13 1988

Jack C. Silver, Clerk
U.S. DISTRICT COURT
Robert Butler
Attorney for Defendant

THE DEFENDANT ENTERED A PLEA OF:

☒ guilty ☐ nolo contendere] as to count(s) One (1) of the superseding Indictment, and
☐ not guilty as to count(s) _____.

THERE WAS A:

☒ finding ☐ verdict] of guilty as to count(s) One (1) of the superseding Indictment.

THERE WAS A:

☐ finding ☐ verdict] of not guilty as to count(s) _____.
☐ judgment of acquittal as to count(s) _____.
The defendant is acquitted and discharged as to this/these count(s).

THE DEFENDANT IS CONVICTED OF THE OFFENSE(S) OF:

having violated Title 21, United States Code, Section 846; Conspiracy to Possess with Intent to Distribute and to Distribute Marihuana.

IT IS THE JUDGMENT OF THIS COURT THAT:

the defendant shall be committed to the Custody of the Bureau of Prisons for a term of Six (6) Years pursuant to Title 18, United States Code, Section 3581.

United States District Court) SS
Northern District of Oklahoma)
I hereby certify that the foregoing
is a true copy of the original on file
in this Court.

Jack C. Silver, Clerk

Handwritten signature
Deputy

In addition to any conditions of probation imposed above, IT IS ORDERED that the conditions of probation set out on the reverse of this judgment are imposed.

CONDITIONS OF PROBATION

Where probation has been ordered the defendant shall:

- (1) refrain from violation of any law (federal, state, and local) and get in touch immediately with your probation officer if arrested or questioned by a law-enforcement officer;
- (2) associate only with law-abiding persons and maintain reasonable hours;
- (3) work regularly at a lawful occupation and support your legal dependents, if any, to the best of your ability. (When out of work notify your probation officer at once, and consult him prior to job changes);
- (4) not leave the judicial district without permission of the probation officer;
- (5) notify your probation officer immediately of any changes in your place of residence;
- (6) follow the probation officer's instructions and report as directed.

The court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within the maximum probation period of 5 years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

IT IS FURTHER ORDERED that the defendant shall pay a total special assessment of \$ 50.00 pursuant to Title 18, U.S.C. Section 3013 for count(§) One (1) of the superseding Indictment as follows: \$50.00

IT IS FURTHER ORDERED THAT ~~counts~~ the Original Indictment ^{is} ~~are~~ DISMISSED on the motion of the United States.

IT IS FURTHER ORDERED that the defendant shall pay to the United States attorney for this district any amount imposed as a fine, restitution or special assessment. The defendant shall pay to the clerk of the court any amount imposed as a cost of prosecution. Until all fines, restitution, special assessments and costs are fully paid, the defendant shall immediately notify the United States attorney for this district of any change in name and address.

IT IS FURTHER ORDERED that the clerk of the court deliver a certified copy of this judgment to the United States marshal of this district.

☐ The Court orders commitment to the custody of the Attorney General and recommends:

December 13, 1988

Date of Imposition of Sentence

James O. Ellison

Signature of Judicial Officer

James O. Ellison, United States Judge

Name and Title of Judicial Officer

December 13, 1988

Date

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____ at _____
Date

_____, the institution designated by the Attorney General, with a certified copy of this Judgment in a Criminal Case.

United States Marshal

By _____
Deputy Marshal

United States District Court

NORTHERN

DISTRICT OF

OKLAHOMA

FILED

UNITED STATES OF AMERICA

V.

JOHN LELAND MANN
119 N. W. Avenue
Baxter Springs, Kansas 66713

SS #: 494-60-4778

(Name and Address of Defendant)

DEC 8 - 1988
JUDGMENT IN A CRIMINAL CASE

Case Number:

88-CR-084-003-C

Jack C. Silver, Clerk
DISTRICT COURT

Tom Mann

Attorney for Defendant

THE DEFENDANT ENTERED A PLEA OF:

☒ guilty ☐ nolo contendere] as to count(s) One (1) of the Information, and
☐ not guilty as to count(s) _____.

THERE WAS A:

☒ finding ☐ verdict] of guilty as to count(s) One (1) of the Information.

THERE WAS A:

☐ finding ☐ verdict] of not guilty as to count(s) _____.
☐ judgment of acquittal as to count(s) _____.
The defendant is acquitted and discharged as to this/these count(s).

THE DEFENDANT IS CONVICTED OF THE OFFENSE(S) OF:

having violated Title 21, United States Code, Section 843(b); Use of a Communication Facility in the Commission of a Narcotic Felony.

IT IS THE JUDGMENT OF THIS COURT THAT:

the defendant shall be sentenced to the Custody of the Attorney General for a period of Four (4) Years on the condition that the defendant be confined in a jail-type institution or treatment facility for a period of 45 days with the execution of the remainder of the sentence suspended and the defendant placed on probation for a term of Four and One-half (4½) Years, and fined \$1,000.00.

IT IS FURTHER ORDERED that the execution of the sentence is deferred until January 3, 1989, at 9:00 am at which time the defendant shall voluntarily surrender to the U. S. Marshal, Tulsa, Oklahoma.

In addition to any conditions of probation imposed above, IT IS ORDERED that the conditions of probation set out on the reverse of this judgment are imposed.

CONDITIONS OF PROBATION

Where probation has been ordered the defendant shall:

- (1) refrain from violation of any law (federal, state, and local) and get in touch immediately with your probation officer if arrested or questioned by a law-enforcement officer;
- (2) associate only with law-abiding persons and maintain reasonable hours;
- (3) work regularly at a lawful occupation and support your legal dependents, if any, to the best of your ability. (When out of work notify your probation officer at once, and consult him prior to job changes);
- (4) not leave the judicial district without permission of the probation officer;
- (5) notify your probation officer immediately of any changes in your place of residence;
- (6) follow the probation officer's instructions and report as directed.

The court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within the maximum probation period of 5 years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

IT IS FURTHER ORDERED that the defendant shall pay a total special assessment of \$ 50.00 pursuant to Title 18, U.S.C. Section 3013 for count ~~(9)~~ One of the Information as follows:
\$50

IT IS FURTHER ORDERED THAT ~~XXXXX~~ the original Indictment as to the defendant ~~is~~ ^{is} DISMISSED on the motion of the United States.

IT IS FURTHER ORDERED that the defendant shall pay to the United States attorney for this district any amount imposed as a fine, restitution or special assessment. The defendant shall pay to the clerk of the court any amount imposed as a cost of prosecution. Until all fines, restitution, special assessments and costs are fully paid, the defendant shall immediately notify the United States attorney for this district of any change in name and address.

IT IS FURTHER ORDERED that the clerk of the court deliver a certified copy of this judgment to the United States marshal of this district.

☐ The Court orders commitment to the custody of the Attorney General and recommends:

December 2, 1988

Date of Imposition of Sentence

Signature of Judicial Officer

H. Dale Cook, Chief United States District Judge

Name and Title of Judicial Officer

December 2, 1988

Date

United States District Court
Southern District of New York
In the Court of
Jack C. Oliver, Clerk

By R. G. Miller
Deputy

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____ at _____
Date

_____, the institution designated by the Attorney General, with a certified copy of this Judgment in a Criminal Case.

United States Marshal

By _____
Deputy Marshal

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

DEC -7 1988

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 STEVEN HAROLD FREEMAN,)
)
 Defendant.)

Jack C. Silver, Clerk
U.S. DISTRICT COURT

No. 88-CR-060-001-B

O R D E R

This matter comes before the Court on Defendant Steven Harold Freeman's motion to reduce his sentence under Fed.R. Cr.P. 35.

On September 20, 1988 Defendant was sentenced to a term of five (5) years incarceration and \$451.17 restitution for violation of 42 U.S.C. §403(g)(1).

The Court has reviewed the sentence, the pleadings and Defendant's letter to the Court and grants the motion. Defendant's sentence is hereby reduced from five years to four year incarceration and \$451.17 restitution to the Bank of Oklahoma, Tulsa, Oklahoma, as directed by the United States Probation Office.

Dated this 7th day of December, 1988.



THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

DEC 6 1988

JACK C. SILVER, CLERK
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 ROY LANIER,)
)
 Defendant.)

No. 86-CR-30-B

O R D E R

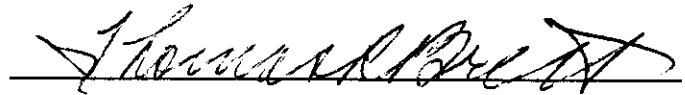
This matter comes before the Court upon Defendant, Roy Warren Lanier's Motions to Correct an Illegal Sentence. On July 29, 1988, this Court sentenced the Defendant for crimes committed on March 14, 1986. Lanier pleaded guilty to violating 21 U.S.C. §§ 841(a)(1) and 846. This Court sentenced Lanier to 7 years imprisonment for committing these offenses.

Defendant asserts the maximum penalty at the time of sentencing was 5 years. The maximum penalty for violating 21 U.S.C. §§ 841(a)(1) and 846 was 5 years for first time offenders. This is not the Defendant's first conviction, however. The Defendant pleaded guilty to possession of methamphetamine on December 15, 1982, and again pleaded guilty to possession of methamphetamine on May 16, 1983. The maximum sentence the Court could have imposed on subsequent offenders was 10 years; therefore, the seven year sentence imposed upon the Defendant was proper and the Motion is hereby denied.

Lanier also seeks reconsideration of the Order entered November 4, 1988. As the merits of Defendant's arguments were addressed in that Order and the Defendant presents no basis for

reconsideration, the Motion is also denied.

IT IS SO ORDERED, this 6th day of December, 1988.

A handwritten signature in cursive script, reading "Thomas R. Brett", written over a horizontal line.

THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,
Plaintiff,
vs.
GERARDO A. GOMEZ,
Defendant.

Jack C. Smith, Clerk
U. S. DISTRICT COURT

No. 88-C-1276-B

This matter comes before the Court upon Defendant, Gerardo A. Gomez's Motion to Vacate, Set Aside or Correct a Sentence pursuant to 28 U.S.C. §2255. Upon consideration of the facts and the relevant authority, the Motion is denied.

Gomez asserts that his sentence should be vacated because his counsel did not allow the Defendant to testify at trial out of fear of prejudice. Four grounds are properly within the scope of a motion to vacate, set aside or correct a sentence: (1) that the sentence imposed was in violation of the Constitution or laws of the United States, (2) that the court was without jurisdiction to impose such sentence, (3) that the sentence was in excess of the maximum authorized by law, and (4) that the sentence is otherwise subject to collateral attack. 28 U.S.C. §2255.

For purposes of a motion to vacate a sentence, the proper standard for judging the adequacy of representation is whether the assistance rendered was within the range of competence demanded of a criminal defense attorney, not whether the advice was right or wrong. McMann v. Richardson, 397 U.S. 759, 771 (1970).

"[A]bsent the incompetence of counsel or some other exceptional circumstance, a defendant

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will be bound by the decisions of his counsel. Mistakes of judgment on the part of counsel, or mistakes of tactics, strategy or policy in the course of a criminal trial do not constitute grounds for a later collateral attack pursuant to Section 2255."

United States v. Nolan, 571 F.2d 528, 534 (10th Cir. 1978), *citing*
Frاند v. United States, 301 F.2d 102 (10th Cir. 1962).

This Court presided over the Defendant's trial and concludes that defense counsel's actions did not amount to incompetence or ineffective assistance. Therefore, the Defendant's Motion to vacate is denied.

IT IS SO ORDERED, this 5th day of December, 1988.

A handwritten signature in cursive script, reading "Thomas R. Brett", written over a horizontal line.

THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

United States District Court

NORTHERN

DISTRICT OF

OKLAHOMA

FILED
IN OPEN COURT

DEC 2 - 1988

UNITED STATES OF AMERICA

V.

EARL ORLANDO WHITE
2226 North Main
Tulsa, Oklahoma 74106

JUDGMENT IN A CRIMINAL CASE
JACK E. SILVER, Clerk
U.S. DISTRICT COURT

Case Number: 88-CR-024-001-C

SS #: 440-46-4498

(Name and Address of Defendant)

Jim Goodwin

Attorney for Defendant

THE DEFENDANT ENTERED A PLEA OF:

☒ guilty ☐ nolo contendere] as to count(s) One (1) of the Information, and
☐ not guilty as to count(s) _____.

THERE WAS A:

☒ finding ☐ verdict] of guilty as to count(s) One (1) of the Information.

THERE WAS A:

☐ finding ☐ verdict] of not guilty as to count(s) _____.

☐ judgment of acquittal as to count(s) _____.

The defendant is acquitted and discharged as to this/these count(s).

THE DEFENDANT IS CONVICTED OF THE OFFENSE(S) OF:

having violated Title 21, United States Code, Section 844(a); Possession of Cocaine, Misdemeanor.

IT IS THE JUDGMENT OF THIS COURT THAT:

the imposition of sentence is hereby suspended and the defendant placed on probation for a period of Three (3) Years and fined \$1,000.00 to be paid at a rate as determined by the U. S. Probation Office.

IT IS FURTHER ORDERED that the defendant shall participate in a drug aftercare program administered by the U. S. Probation Office.

In addition to any conditions of probation imposed above, IT IS ORDERED that the conditions of probation set out on the reverse of this judgment are imposed.

CONDITIONS OF PROBATION

Where probation has been ordered the defendant shall:

- (1) refrain from violation of any law (federal, state, and local) and get in touch immediately with your probation officer if arrested or questioned by a law-enforcement officer;
- (2) associate only with law-abiding persons and maintain reasonable hours;
- (3) work regularly at a lawful occupation and support your legal dependents, if any, to the best of your ability. (When out of work notify your probation officer at once, and consult him prior to job changes);
- (4) not leave the judicial district without permission of the probation officer;
- (5) notify your probation officer immediately of any changes in your place of residence;
- (6) follow the probation officer's instructions and report as directed.

The court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within the maximum probation period of 5 years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

IT IS FURTHER ORDERED that the defendant shall pay a total special assessment of \$ 25.00 pursuant to Title 18, U.S.C. Section 3013 for count(s) One of the Information as follows:
\$25

IT IS FURTHER ORDERED THAT ~~XXXXX~~ the Original Indictment ^{is} ~~xxx~~ DISMISSED on the motion of the United States.

IT IS FURTHER ORDERED that the defendant shall pay to the United States attorney for this district any amount imposed as a fine, restitution or special assessment. The defendant shall pay to the clerk of the court any amount imposed as a cost of prosecution. Until all fines, restitution, special assessments and costs are fully paid, the defendant shall immediately notify the United States attorney for this district of any change in name and address.

IT IS FURTHER ORDERED that the clerk of the court deliver a certified copy of this judgment to the United States marshal of this district.

☐ The Court orders commitment to the custody of the Attorney General and recommends:

December 2, 1988

Date of Imposition of Sentence



Signature of Judicial Officer

H. Dale Cook, Chief U. S. District Judge

Name and Title of Judicial Officer

December 2, 1988

Date

U.S. District Court) ss
District of Columbia) ss
U.S. Marshal) ss
U.S. Marshal) ss
U.S. Marshal) ss
U.S. Marshal) ss

Jack G. Silver, Clerk

By R. Miller
Deputy**RETURN**

I have executed this Judgment as follows:

Defendant delivered on _____ to _____ at _____
Date

_____, the institution designated by the Attorney General, with a certified copy of this Judgment in a Criminal Case.

United States Marshal

By _____
Deputy Marshal